

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Commonwealth of Pennsylvania,)
By Attorney General Josh Shapiro)
Plaintiff,) Case No. 3:CV-17-01814-RDM
v.) (Hon. Robert D. Mariani)
Navient Corporation, *et al.*,)
Defendants.) DEFENDANTS' NOTICE OF
) SUPPLEMENTAL AUTHORITY
) Electronically Filed
)

DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY

Pursuant to LR 7.36, Defendants hereby provide notice of *Lawson-Ross v. Great Lakes Higher Educ. Corp.*, No. 1:17-CV-00253-MW-GRJ (N.D. Fla. Sept. 20, 2018) (Exhibit “A”). *Lawson-Ross* holds that the Department of Education’s (“ED”) authoritative interpretation of the Higher Education Act’s preemptive effect warrants deference, *see* Dkt. No. 27 (citing *Federal Preemption and State Regulation of [ED]’s Federal Student Loan Programs and Federal Student Loan Servicers*, 83 Fed. Reg. 10619 (Mar. 12, 2018)), and provides additional support for Defendants’ motion to dismiss the Commonwealth’s state-law claims on preemption grounds, *see* Dkt. No. 24 at 15-19; Dkt. No. 26 at 6-13.

Dated: September 25, 2018

Respectfully submitted,

By: /s/ Daniel T. Brier

Daniel T. Brier (PA 53248)
Myers Brier & Kelly, LLP
425 Spruce Street, Suite 200
Scranton, PA 18503
dbrier@mbklaw.com
Tel: 570-342-6100
Fax: 570-342-6147

Jennifer Levy (DC 461921)
Michael Shumsky (DC 495078)
Andrew Pruitt (DC 1011430)
Patrick Brown (DC 1033415)
KIRKLAND & ELLIS LLP
655 Fifteenth Street, NW
Washington, DC 20005
Tel: 202-879-5000
Fax: 202-879-5200

*Counsel for Defendants
Navient Corporation and
Navient Solutions, LLC*

CERTIFICATE OF SERVICE

I, Daniel T. Brier, hereby certify that a true and correct copy of the foregoing Notice of Supplemental Authority was served upon the following counsel of record via the Court's ECF system on this 25th day of September 2018:

John M. Abel, Esquire
Office of Attorney General
Strawberry Square, 15th Floor
Harrisburg, PA 17120

/s/ Daniel T. Brier